

App. F. IX-4

Previous References.

May 2nd 430-41.

1943.

(May)

File No. 40-43.

Serial Nos. 1-5.

Later References.

P

GENERAL AND REVENUE SECRETARIAT

Serial Nos. Five

Part B for

August-1945

SUBJECT

Acquisition of certain properties
required for the extension of the compound
of Sri Bhemeswaraswamy temple at
Thosanaelli, Malabar Taluk.

MR. 635-9 dated 8-8-1945.

To
Mr. Rangrai Commissioner
Commissioner for Settlement.
Bombay
Deputy Commissioner Kolad.
Bombay, Mysore Gazette.
Sanctions in acquisition

OFFICE OF THE DEPUTY COMMISSIONER,
KOLAR DISTRICT.

No. ~~AZ.1.1.1.1.~~ 27/41-42.
Encls: one file.

Dated, Kolar, the 13th July 1942. 193.

Security 40-43-1.

FROM

~~A. V. RAMANATHAN, Esq., B.A.,~~

The Deputy Commissioner,
Kolar District.

43

GENERAL To
17 JULY 1942
Muz
and Thro

The Secretary to Government of Mysore,
General Department,
Bangalore.

The District Commissioner in Mysore, Bangalore. Thornehill

Subject:—Acquisition—S. No. of house Nos. 79-2-103 & 75 of Village
Belur Taluk—for the compound wall of Sri Phenu
swamy temple.

SIR,

With reference to your letter No. 1915 Muz dated 28th April 1942
the -- addressed to the Compiler, *Mysore Gazette*, and
forwarding for publication preliminary notifications for acquisition of the property
noted above, I have the honour to forward herewith the file of vernacular
correspondence since received from the Sub-Division Officer K o l a r
Sub-Division, reporting that no ^{valid} objections have been preferred in respect of the
said acquisition.

2. I request therefore that you may be so good as to obtain early sanction
of Government for the acquisition, and to cause the enclosed declaration state-
ments to be published in the Gazette. The Sub-Division Officer
K o l a r Sub-Division, may be appointed to perform the
functions of a Deputy Commissioner under Land Acquisition Regulation and
authorised to take orders for the acquisition of the said property.

I have the honour to be,

Sir,

Your most obedient servant,

Ramanathan
Deputy Commissioner,
Kolar District.

Re. the acquisition of certain properties required for the Extension
of the Compound of Shri Bheemeshwara Swamy Temple at
Mahu Taluk. 299/R

Gutta Shrinanielli

Muzrai File No. 40 of 1943-44

Page 2

(1) The preliminary notifications under Section 4 of the Land Acquisition Act were published on 29th April 1942. The records disclose that after a delay of 4 months they were issued by the Amildar for service. Of the four persons interested in the properties proposed for acquisition two were absent at the time of service, and the notices were served on their houses, the third person taking service in person on 16.9.42. The fourth person refused service and the notification was served on his denial.

(2) Two of the parties have filed objection petitions within one month from the date of service of the notification.

(i) Koppuram Venkataru Shetty states in his petition recd. by the S.D.O. on 24.9.42, that the property which is proposed to be acquired is worth at least Rs. 100/- as against the estimated cost of Rs. 15/- and that in case his house is acquired adequate compensation may be paid to him and a site granted in the locality of his choice.

(ii) S. Venkataramana Shetty likewise claims a compensation of Rs. 200/- for his properties as against the estimated value of Rs. 40/- and a site in addition.

(3) The intention of the parties in presenting the objection petition is evidently to obtain enhanced compensation. The S.D.O. reports (No. R4 P.D.A. 24/44-2 dated 28.4.43) that notices were issued several times to them but they did not respond. No records are forthcoming in the file to show on what dates the notices were issued and whether they have been served ^{on the parties}. He says that their objection is frivolous and deserves no consideration, and the S.D.O. has offered no remarks on their objections preferred and the S.D.O.'s opinion as required under subsection (2) of Section 5-A of the Act.

(4) Further, the draft declaration statements have neither been prepared correctly nor countersigned by the D.C.

(5) In the circumstances the records may be returned to him for supplying the omissions.

Sub-
(6) Draft Subd.
20/43
Please refer
to file
12.9.43

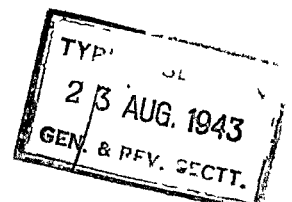
Issued No. R. 1182, dated the
23rd August 1943
To - The D.C., Holur District

necessary Enquiry
please put up
Acq. Ref. W.D.
2/8

(6)
yes

11

2



Acquisition of certain properties required for the extension of
the compound of Sri Bhemeswaraswamy Temple at Thoranahalli,
Maloor Taluk. 198/R.

Continuation Sheet.

Mux File No. 40 — of 1943-44 Page.3
Current No.

[3]

Letter No. P. 5.-C. 14717/43-44, dated the 11th July 1945

From the Mysore Commissioner in Mysore.

Soliciting, in the circumstances explained, sanction to the acquisition of the properties specified in the P. 5. Notifications published in the Gazette with No. 1917/Mux. 26-A.1, Dd, dated 25.4.42, required for the extension of the compound of Sri Bhemeswaraswamy Temple at Thoranahalli, Maloor Taluk.

(5) The parties who raised objections to the proposed acquisition are reported to have evaded ^{either} ~~neither~~ service of notice issued to appear before the L.A.O. or appearing before him after being notified. Their main objection is reported to be in respect of the ~~lower~~ valuation of the houses required for extending the temple compound. The question of compensation to be awarded to the persons having interest in these properties will be decided by the L.A.O. after necessary enquiries.

(6) Before the declarations are published it must be made clear whether a portion of the cost of acquisition will be borne by Govt or the local body concerned. The M.C.'s report is silent on this point. He may be consulted before issuing final orders. Or, in the alternative, sanction may perhaps be accorded with the direction that a token grant of Rs. 5% may be paid out of the State and G.M. Fund, controlled by the M.C. to validate the acquisition, under section 6 of the Land Acqn. Act.

Subd. for orders.

10/9/45 (10) The submission was
in Sanskrit and Hindi

Small Grant of Rs 5% in case

re the acquisition of certain properties wired for the Extension

Acquisition of certain properties required for the Extension
of the Compound of Sri Bhakteshwara Swamy Temple, at
Hayamangutta Hosanahalli, Taluk-Jalur-198/R

198

Continuation Sheet. No. File No. 40 Current No. of 1944-45 Page 4

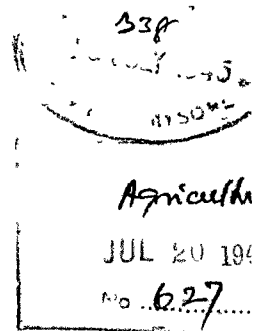
in view of the fact that the
Acquisition

Law
Dept.

(11) Minister, Agriculture)

in
1967

Ry
20/7/67-
2-



(12)

23/7
23/7

(13, Draft Sub)

24/7/45
25/7

(14)

In
26/7

Issued No. R. 635-9, dated the 8th August 1945

[4]

To The Mysore Commissioner in Mysore, with records

" Commissioner for Settlement

" Comptroller to Government

" Deputy Commissioner, Taluk District

" Compiler, Mysore Gazette, with declaration.

Notification to R. 640. of even date

[5]

Notifies the acquisition of the properties in question.

B. Reena
5/8/7
24/6/45

(Draft)

Section. Muz. File No. 40-43. Serial No. 2

No. R. 1182 and Record 8- Dated the 28th August 1943

To- The Deputy Commissioner, Kolar District.

Sir,
Subject:- Acquisition of certain properties required for the Extension of the Compound of Sri Theemahaneswamy Temple at Thoranahalli, Malur Taluk.

Referring to the correspondence ending on the above subject with your letter No. A3-L.A. 27/41-42, dated the 13th, July 1943, (addressed through the M.C. but sent to this office directly), I am directed to state that the records do not show that necessary enquiry has been held, as contemplated in Sub-section (2) of Section 5A of the Land Acquisition Act, after duly serving notices on the parties and to request that the S.D.O. concerned may be asked to make further necessary enquiries and which report may be submitted with your remarks for orders.

2. The draft Declaration statements in English and Kannada may be duly countersigned, after necessary corrections being got effected in the preamble and the column headings of all the draft statements.

3. The connected records are herewith returned. I have, etc.,
~~Memorandum dated the August~~

P.T.A

Memo No R 1183

Dated the 28th August 1943.

Copy of the foregoing is forwarded with compliments
to the M C for information.

B C,

H. P.

For Gen Secy to Govt

~~100~~

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No.

R.1182/M-3 4043.2

Dated, Bangalore 24th August 1943.

28/5

FROM

The Secretary to the Government of His Highness
the Maharaja of Mysore.
General Department.

TO

The Deputy Commissioner,

Kolar District, Kolar.

Sir,

Subject:- Acquisition of certain properties
required for the extension of the ~~compound~~
compound of Shri Bhemeswaraswamy Temple
at Thoranahalli, Melur taluk.

Adverting to the correspondence ending with your
letter No. 23-L.A. 27/41-42, dated the 15th July 1943, on
the above subject, addressed through the Muzrai Commis-
sioner but sent to this office directly, I am directed
to state that the records do not show that necessary
enquiry has been held on the objections raised by Venkat-
aari Shetty and Venkataramana Shetty as contemplated in
Sub Section (2) Section 5A of the Land Acquisition Act
after duly serving notices on the parties and to request
that the Sub Division Officer concerned may be asked to
make further necessary enquiries and hear the parties

Senior Assistant Commissioner
For Muzrai Commissioner.
(Absent on casual leave.)

6/11

and ^{submit-}~~that~~ his report which may be sent with your remarks through the Muzrai Commissioner for orders.

2. The draft declaration statements in English and Kannada may be duly countersigned after necessary corrections being got effected in the preamble and the column headings of all the draft statements.

3. The connected records are herewith returned.

I have the honour to be,

Sir,

Your most obedient servant,

DRAFT
16/8/24
For Secretary to Government,
General Department.

16/8/24

Memo. No R. 1183

Dated Bangalore the 28/2 August 1924

Copy of the foregoing is forwarded with compliments to the Muzrai Commissioner in Mysore for information.

By order,

For Secretary to Government,
General Department

Muzrai 40-43-2

No.P5-1477/43-44
Encls :- records.

Office of the Muzrai Commissioner in Mysore,
Bangalore, 11th July 1945.

R 198

To

C. Narayanaswamy Naidu, Esq., B.A., B.L.,
Secretary to the Government of Mysore,
Law Department.

Sir,

Requisition of certain properties required for the extension
of the compound wall of Sri Bheemeswaraswamy Temple at Thorna-
halli, Malur Taluq.

Adverting to the correspondence ending with your letter No. .1182/Muz.
40-43-2 dated 28th August 1943, directing the Deputy Commissioner, Kolar
District, to instruct the Sub Division Officer, to conduct necessary en-
quiries on the objections raised by Messrs. Venkatadri Setty and Venkata-
ramana Setty, as contemplated in sub section (2), Section 5A of the Land
Acquisition Act, serving Notices on the parties, etc., I have the honor
to state that the Deputy Commissioner, in his letter No.A3-L.A.27/44-45
dated 25th May 1945 (copy enclosed), reports that the petitioners were
issued notices to appear before the Sub Division Officer, Kolar, and
that Venkatadri Setty did not appear before him, even though the notice had
been duly served on him, while Venkataramana Setty evaded service of
notice and his whereabouts were not known. No valid objections are raised.
The Sub Division Officer, who inspected the spot and made enquiries, is of
opinion that the objections are frivolous. The Deputy Commissioner, Kolar,
recommends the acquisition of the said properties.

The final declaration statements are, therefore, forwarded herewith,
with a request that sanction of Government may kindly be obtained for the
acquisition of the properties, the cost being met from the temple funds.

The entire file of connected records received with the Deputy Commis-
sioner's letter No.A3-L.A.27/44-45 dated 25th May 1945, accompanies for
favour of reference and return when done with.

I have the honor to be,

Sir,

Your most obedient servant,

Senior Assistant Commissioner
For Muzrai Commissioner.
(Absent on casual leave.)

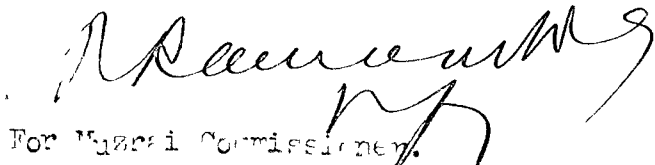
Letter No. A.C.T. 1137/41-45 dated 15th May 1945 from the Deputy
Commissioner, Kolar District, to the Muzrai Commissioner, Madras.

Subject:- Acquisition of certain properties held by the
extension of the proposed road from the village of
at Thormanhill Village, Madras.

Adverting to letter No. R.1137/Muzrai-45, dated 15th May 1945, from the
Secretary, General Department, directing that the objections to the
be made by the Land Acquisition Officer. The objections made by
dri Setty and Venkataramana Setty on the above subject, I have
forward herewith the connected records ending with the Sub Division Officer's
report dated 6-5-45, and to state as follows.

The petitioners were issued notices to appear before the Sub Division
Officer, who was asked to conduct necessary enquiries. It is noted
from the records that Venkatdri Setty has not appeared before him
though the notices have been duly served. Further it is noted that
Venkataramana Setty has evaded service of notice and his whereabouts are
not known. The Sub Division Officer, who has made the above statement, states that
the objections are frivolous. In these circumstances, I have
kindly obtain sanction of Government to the acquisition of the land in
question.

"CCIR"



For Muzrai Commissioner.

GSH

SUBJECT

Diary No. of letter replied to 198/R

General and Revenue Secretariat

(Muzrai Section)

the 24th July 1945.

Date of issue 8 - 8 - 1945.

Signed by Mr. S. K. V.

May this be—

- (i) printed?
- (ii) treated as a standing order?
- (iii) published in the Gazette,
English Part?
- (iv) translated?
- (v) placed at the disposal of the press?
- (vi) published in the Gazette,
Kannada Part?

Section Muzrai

File No. 40-43

Serial No. 4

*Proceedings of the Government of
His Highness the Maharaja of Mysore.*

Read— Correspondence ending with letter
No. P.5-C.1477/43-44, dated the 11th July 1945,
from the Muzrai Commissioner in Mysore,
recommending, in the circumstances reported
by the D. C. Kolar District, sanction in the
acquisition of certain houses at Kayamgutta
Thoramahalli, Narasapur Hobli, Malur Taluk,
required for the extension of the Compound of
Order thereon—No.
Sri Bheemeshwaraswamy Temple there.

ORDER NO. R. 655-23

Dated the 8th July 1945.

The acquisition of the houses bearing
Panahayet House list No. 2, 75, 79 and 103
Malur Taluk
of Thoramahalli, recommended by the M.C.
is sanctioned, the Assistant Commissioner
in charge of the Revenue Sub Division of

Holar being appointed to perform the functions of a D.O. under the Mysore Land Acquisition Act, and authorised to take order for the acquisition of the properties in question.

2. The Declaration Statements in English and Kannada will be forwarded to the Compiler, Mysore Gazette, for publication.

3. The cost of acquisition ~~shall~~ be met as follows:-

- (a) A sum of Rupees ^{to be paid} Five, out of the revenue under State and General Muzrai Fund Grants for the Construction and repairs of Muzrai Institutions during the current year.
- (b) The balance to be met from the funds at the credit of the institution mentioned supra.

For Secretary to Government,

Law Department. List of Enclosures

To - The Muzrai Commissioner in Mysore, with the connected records
" Commissioner for Settlements.
" Comptroller to Government.
" Deputy Commissioner, Holar District.
" Compiler, Mysore Gazette, with Declaration statements for publication and supply of 10 copies of spare copies of Kannada Notification to the S.D.O., Holar Sub Division.

Copied by

Examined by

Pages 1-14.